

## ZONING BOARD OF ADJUSTMENT

Meeting Minutes

Recorded by Janice Pack

April 22, 2021

**Members Attending:** Gil Morris, George Rainier, Loren White, Sheldon Pennoyer, Craig Pettigrew, Steve Atherton

### Meeting opened at 6:09 PM

Gil called the meeting to order and did a roll call. It was noted that this meeting was being held in person at the Meeting House, and that after May 8<sup>th</sup>, the Board would be able to meet in person again at the Town Hall.

**The ZBA has received a REQUEST FOR A REHEARING FOR ZBA Case 2021-02.** The original Request for Rehearing was received by email on April 16<sup>th</sup>. An Amended Request for Rehearing was received on April 20<sup>th</sup>.

The **Requests** were submitted by Tom & Ginny Chrisenton. The Board reviewed the requests.

Gil has spoken with Aaron Patt, who said he had a conversation with Si Little. Town Administrator Patt thought it would be best to have our attorney present if a further meeting or hearing was held for this case.

Gil wants to establish what Driscoll road is classified as; the point we are concerned with is a Class VI Road. George asked if there is an official map. An "official map" according to the RSA is a map that has been recorded at the Registry of Deeds. Gil will call Catherine and ask if we have one.

Loren said the applicants presented a 911 map; we should see if that is considered an official map. Loren said the purpose of a 911 map is for emergency services and not to establish road classifications.

George read from 674:9 regarding Street Plans and official maps. 674:41 speaks about the Planning Board and building permits, saying no permits shall be issued unless the street has been accepted and is a Class V or better highway. George referred to the draft minutes where Tom said that they just wanted the road to remain a Private Road:

***The Board reviewed the site plan and noted the Class of the roads; Driscoll Road ends well away from the properties and becomes a gated private road. They have the deeded right of way on their property. Gil asked if the short curve of Driscoll Road was a deeded right of way or a Class 6 road; the Applicant said it was a deeded right of way. Loren said that was not a Class 5 road in Lyndeborough. All of the property is in Greenfield; the Board looked at the location of the town lines. Sheldon asked about the Road frontage for R10-13-1. Tom explained the reason for the deeded right of way and its history.***

***Sheldon said that we've been asked to overrule Mr. Borden's decision that the lot is not served by adequate road **Frontage**. The road would need to be upgraded in order to serve as frontage. Tom said that wasn't the reason that Mike denied the building permit; he said they were not existing lots***

43 *because of the lot line adjustment. Tom said the right of way has been a condition; George asked if*  
44 *the town had accepted the road but Tom said he didn't want them to, he just wanted it to remain a*  
45 *private road.*

46 Craig noted that it seemed that the Applicant thought that since the Planning Board said they were  
47 conforming lots, that they were, in fact, buildable.

48 Regarding their request for recording of the ZOOM Meeting, Sheldon did not record that meeting as Ms.  
49 Pack was present to take the minutes. The draft minutes have already been forwarded to them.

50 ACTION ITEMS

- 51 • Gil will call Aaron and get legal counsel phone numbers.
- 52 • Gil will call Catherine and find out if our tax map is an official map.
- 53 • Gil will ask Aaron about the Private Road Policy which Si Little requested.

54 The Board reviewed the draft minutes of the meeting held on March 24, 2021. **Sheldon moved to**  
55 **approve the minutes and George seconded.** Discussion: Sheldon noted that the minutes should be  
56 clear that it was a hybrid meeting, and who was present on the Zoom call. **Sheldon moved to approve**  
57 **the Minutes as amended, and George seconded. All were in favor; motion passed.**

58 Having no further business to discuss, **Sheldon motioned to adjourn the meeting, and George**  
59 **seconded. All were in favor, motion passed, and the meeting adjourned at 6:51 PM.**